



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#15

Applicant : J.P. Verduijn
US Appl. No. : 08/656,725 (Rule 62 FWC of 08/211,873)
Filed : June 3, 1996 (Parent filed June 3, 1994)
For : NANOMETER-SIZED MOLECULAR SIEVE CRYSTALS
OR AGGLOMERATES AND PROCESS FOR
THEIR PRODUCTION
Examiner : D. Sample
Group Art Unit: 1108
Conf. No. : Unknown

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JAN 05 2009

OFFICE OF PETITIONS

PETITION UNDER 37 CFR §1.181(a)(3)

December 29, 2008

Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions the Commissioner for immediate action, as discussed below.

Submitted herewith is a copy of a Request for Filing a 37 CFR §1.62 File Wrapper Continuation (FWC) Application which was submitted to the USPTO on June 3, 1996, as a FWC of parent application US Serial No. 08/211,873 filed June 3, 1994.

As indicated in the Request, Applicant authorized the filing fee of \$862 be charged to Deposit Account No. 05-1712 for the above-identified Rule 62 FWC. Applicant respectfully informs the Office that the USPTO Office of Finance was contacted by telephone on December 23, 2008, and the USPTO confirmed that such amount was charged to the Deposit Account 05-1712 and was not refunded at any time subsequent thereto. Accordingly, Applicant respectfully submits that the USPTO received the filing fee for the above-identified Rule 62 FWC.

Also as indicated in the Request, the form and its attachments were submitted to the USPTO by USPS Express Mail, and a proper certification of mailing, as well as identification of the USPS Express Mail label number and date of deposit with the USPS, appear on the face of the Request.

Also submitted herewith is a copy of the USPS Express Mail mailing label used for submission of the Request and its attachments, showing the USPS "date-in" stamp of June 3, 1996. Thus, the filing of this Rule 62 FWC constituted a timely and complete filing by the June 1, 1996 deadline (June 1, 1996 was a Saturday).

Further submitted herewith is a copy of the filing receipt postcard itemizing the documents filed with the Request and carrying the USPTO Mail Room date stamp acknowledging receipt of such items, which is *prima facie* evidence of filing. The receipt postcard also carries the USPTO stamped number "08/656,725" to indicate that the USPTO assigned Serial No. 08/656,725 to the Rule 62 FWC requested by Applicant. Accordingly, Applicant respectfully submits that all of the filing requirements for a Rule 62 FWC Application made on June 3, 1996 were completed and timely filed, as indicated in the attachments submitted herewith and as approved by the USPTO with an indication of a serial number and charge of a filing fee.

Since the filing of the Rule 62 FWC Application, Applicant has filed a number of status inquiries, all to no avail. Therefore, Applicant respectfully petitions the Commissioner for immediate action in the subject application.

No fee is required for entry and grant of this Petition.

Respectfully submitted,
J.P. Verduijn



Abraham HersHKovitz
Registration No. 45,294

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J3600.17.A01; AH/pjj



37 CFR 1.62 CONTINUATION OR DIVISIONAL FILING FORM

"PATENT"

Case Docket No. 91A055/2

Anticipated Class of this Application:

Class _____ Subclass _____

Prior Application 08/211,873Examiner: D. SampleArt Unit: 1108

COMMISSIONER OF PATENTS AND TRADEMARKS
BOX FWC
WASHINGTON, D.C. 20231

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JAN 05 2009

OFFICE OF PETITIONS

Sir:

- [X] "Express Mail" mailing label number EM 141452379US Date of Deposit June 3, 1996.
I hereby certify that this paper or fee is being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and
is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Susan Mohnke(Typed or printed name of person mailing
paper or fee)
(Signature of person mailing paper or
fee)

This is a request for filing a

- [X] Continuation application under 37 CFR 1.62,
[] Divisional

of pending prior application Serial No. 08/211,873 filed on June 3, 1994.

of

J. P. Verduijn

(List All Inventors, Full Name)

for

Nanometer-Sized Molecular Sieve Crystals or Agglomerates and Processes for Their Production
(Title of Invention)

- [X] The Filing Fee is calculated below.

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW				
For	Number Filed	Number Extra	Rate	Basic Fee
				\$730.00
Total Claims	26-20	6	x \$22.00	\$132.00
Independent Claims	3-3 =	0	x \$76.00	-0-
Multiple Dependent Claim Fee			\$240.00	-0-
TOTAL FILING FEE				\$862.00

- [X] Charge \$862.00 to Deposit Account No. 05-1712.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 05-1715 or 05-1712. A duplicate copy of this Form is enclosed.
- [] Cancel in this application original claims _____ of the prior application before calculating the filing fee.
- [X] Amend the specification by inserting before the first line the sentence: This is a [X] continuation, [] divisional, of application Serial No. 08/211,873, filed June 3, 1994.

WIN/96SGM119.DOC/SGM

Copied from 08211873 on 10/29/2009

- ☒ Transfer the drawings from the prior application to this application.
- ☐ New formal drawings and one set of copies thereof are enclosed.
- ☒ Priority of application Serial No. PCT/EP92/02386 filed on 10/19/92 which is based on GB 9122499.8 filed on 10/23/91 and GB 9211745.6 filed on June 3, 1992 is claimed under 35 U.S.C. § 119.

The certified copy has been filed in prior application Serial No. 08/211,873, filed June 20, 1994.

- ☐ The prior application is assigned of record to _____.
- ☒ The power of attorney in the prior application is to:

Edward F. Sherer, Reg. No., 29,5898, Exxon Chemical Co., 5200 Bayway Drive, Baytown,
Texas 77520

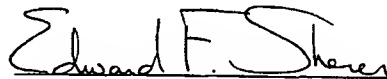
(Name(s), Reg. No.(s) and Address)

- a. ☒ The power appears in the original papers of the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Address all future communications to: Exxon Chemical Company, Law Technology,
P. O. Box 2149, Baytown, Texas 77522.
- ☒ Abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- ☒ Information Disclosure Statement, Form - 1449 is enclosed.
- ☒ Copies of citations as listed on attached Form - 1449 are enclosed.
- ☒ A preliminary amendment is enclosed.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

June 3, 1996

Date of Signature



Attorney or Agent
Edward F. Sherer

Registration No. 29,588
Telephone No. (713) 425-5933
Facsimile No. (713) 425-2911

- ☒ Attorney or agent of record
☒ Filed under 37 CFR 1.34(a)

Post Office Address (to which correspondence is to be sent):

Exxon Chemical Company
Law Technology
P. O. Box 2149
Baytown, Texas 77522-2149



HERSHKOVITZ & ASSOCIATES, LLC
2845 DUKE STREET
ALEXANDRIA, VA 22314
703-370-4800

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OFFICE OF PETITIONS

In re application of : J.P. VERDUJN Docket No.: J3600.17
Application No. : 08/656,725 Group Art Unit: 1108
Filed : June 3, 1996 Examiner: D. SAMPLE
For : NANOMETER-SIZED MOLECULAR SIEVE CRYSTALS OR
AGGLOMERATES AND PROCESS FOR THEIR PRODUCTION

COMMISSIONER FOR PATENTS
Mail Stop PETITION
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is **PETITION UNDER 37 CFR §1.181(a)(3), COPY OF REQUEST TO FILE 37 CFR §1.62 FILE WRAPPER CONTINUATION, COPY OF EXPRESS MAIL LABEL AND COPY OF USPTO DATE-STAMPED RECEIPT POSTCARD** in the above-captioned application.


The fee has been calculated as shown below00:

Claims After Response	No. of Claims Previously Paid	Present Extra	Small Entity		Large Entity	
			Rate	Fee	Rate	Fee
Total Claims:		0	x 25=	\$	x 50=	\$
Indep. Claims:		0	x 105=	\$	x 210=	\$
Multiple Dependent Claims Presented			+185=	\$	+375=	\$
Total:				\$	Total:	\$

- ☐ Please charge my Deposit Account No. **50-2929** in the amount of \$.
- ☐ Fee Authorization given through EFS-Web form.
- ☐ A Check in the amount of \$ ___ to cover the necessary fee is included.
- ☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-2929**:
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3).

December 29, 2008
Date

J3600.17-PET; AH/pjj


Abraham Hershkovitz
Reg. No. 45,294